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FACSIMILE TRANSMITTAL SHEET

To: Examiner Charles A. Marmor, II

U.S. Patent and Trademark Office / FIRM/COMPANY:

Mail Stop Amendment

FACSIMILE NUMBER: 703.872.9306

> **CONFIRMATION** 703.308.0858 (receptionist) or 703.305.3521 (C.A. Mannor) TELEPHONE:

> > Anne Marie Leavy for Edward J. Lynch FROM:

DIRECT DIAL: 415.371.2217

> December 17, 2004 DATE:

USER NUMBER: 5121

Docket No. R0367-00302 FILE NUMBER:

17 TOTAL # OF PAGES:

(INCLUDING COVERSHEET)

Attached is a Supplemental Amendment and Response to the MESSAGE:

Office Action mailed 6/1:5/2004 and Terminal Disclaimer in connection with patent application Serial No. 10/650,027, filed

August 27, 2003.

Please confirm receipt of this facsimile.

NOTE: Original will NOT follow

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE									
In re the application of Burbank et al.			Examiner: C. A. Marmor, II						
For: ELECTROSURGICAL BI AND METHOD			Group.	Art Unit:	3736				
Serial No.: 10/650,027		ý							
Filed: August 27, 2003) TRANSMITTAL					
Atty Docket No.: R0367-00302)))							
CERTIFICATE OF MALLING/FACSDMILE I'URSUANT TO 37 C.F.R. §1.8 I hereby certify that this these papers are being some by bessimile to (703) \$72.9306, addressed to Examiner C.A. Marmor, II, at Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 32316, 450, on December 17, 2004, in San Francisco, CA. Anna Mario Leavy									
Mail Stop Amendment		U			•				
Commissioner for Patents									
P.O. Box 1450									
Alexandria, VA 22313-1450									
Dear Sir:					Supplemental				
1. Transmitted herewith for filing in the above-identified patent application is a Annendment and Response to Office Action Mailed 06/15/2004 and Terminal Disclaimer by Attorney.									
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Total Claims	2202	33 – 33 =	0 x	\$25=	\$-0-				
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3. Additional fees: Terminal Dis	<u>claimer fee un</u>	der 37 CFR	1.20(d).		<u>\$55</u>				
Total Fees Due \$55									
4. Payment of Fees									
Enclosed is a check for the total fees due in the amount of									
X The Commissioner is authorized to charge any additional fees and to credit any									
overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to									
Deposit Account No 04-1679, referencing Atty. Docket No. R0367-00302. A duplicate copy of this document is enclosed.									
A duplicate copy of this document is enclosed.									
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By: Vidward I I wash									
Edward J. Lynch Registration No. 24,422									
Duane Morris LLP	•	Kefhananon	1110. 24,	4 2. 2					
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San Francisco, CA 94105			•						
Direct Dial: (415) 371-2267									

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PATENT

I	N THE UNITED STAT	ES PATEN	T AND TR	RADEMA	RK OFFI	CE		
In re the application of Burbank et al.			Examiner: C. A. Marmor, II					
For: ELECTROSURGICAL BIOPSY DEVICE AND METHOD			Group Art Unit: 3736					
Serial No.: 1	į							
Filed: August 27, 2003				TRANSMITTAL				
Atty. Docket	<u></u>							
I hereby certify Amendment,	CERTIFICATE OF M that this these papers are being spit I Commissioner for Patents, P.O. Box	MLING/FACSIM by inccinule to 1/03 1450, Alexandria, ALL A CAL Anna Marie	ILE I'URSUAN 1) 872-9306 add VA 22315 1450 4 Laur Lesy	TTO 37 C.F. bressed to Exam , on <u>December</u>	R. §1.8 siner C.A. Marr <u>17, 2004</u> , in Sa	nor, II, at Mail Stop in Francisco, CA.		
Mail Stop An Commissione P.O. Box 145	nendment or for Patents		. 0					
Dear Sir:						Supplemental		
1. Transm	nitted herewith for filing is sponse to Office Action 1	in the above-	identified p /2004 and '	atent appl Terminal	lication is : Disclaime	a Amendment		
2. Claim l		e is required. number of cl Additional C FEE/Cone 2201 2202	aims or mu laim Fee C	Calculatio Exha: 0 x 0 x	n	\$-0-		
3. Additio	mal fees: Terminal Disc	laimer fee un	der 37 CFI			<u>\$55</u>		
<i>y.</i>	dditional fees: Terminal Disclaimer fee under 37 CFR 1.20(d)							
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One Market Spear Tower	r, Suite 2000							
	co, CA 94105				•			
	(415) 371-2267					•		

Facsimile: (415) 371-2201

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of Burbank et al.

Examiner: C. A. Marmor, II

For: ELECTROSURGICAL BIOPSY DEVICE

Group Art Unit: 3736

AND METHOD

Serial No.: 10/650,027

Filed: August 27, 2003

Atty. Docket No.: R0367-00302

AND RESPONSE
TO OFFICE ACTION MAILED
06/15/2004

CERTIFICATE OF MARINGIFACSIMILE INTRSUANT TO 37 C.F.R. §1.8

I hereby certify that this these papers are being sent by fassimile to (7/2) 872,7396, addressed to Examiner C. A. Marmor, II, at Mail Stop Amendment, Commissioner for Patents, P.O. Box 1950, Alexandra, VA 2 232-1450, on December 17, 2004, in San Francisco, CA.

Anne Maric Leav

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Communication mailed on November 22, 2004 and in further response to the Office Action mailed June 15, 2004, the applicants hereby resubmit the entire Amendment to the claims section of the non-compliant amendment filed on September 14, 2004. The claim amendments have been corrected to include permissible status identifiers.